

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BERNARDO CARLOS REEVES,

Petitioner,

Case No. 20-cv-12673
Hon. Matthew F. Leitman

v.

WARDEN O'BELL WINN,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION TO
CONTINUE TO HOLD PETITION IN ABEYANCE (ECF No. 11)**

Petitioner Bernardo Carlos Reeves is a state inmate in the custody of the Michigan Department of Corrections. On September 30, 2020, Reeves, through counsel, filed a petition for a writ of habeas corpus in this Court pursuant to 28 U.S.C. § 2254. (*See* Pet., ECF No. 1.) On April 21, 2022, the Court granted Reeves' motion to hold his petition in abeyance so that he could return to the state courts to exhaust a newly discovered evidence claim. (*See* Order, ECF No. 8.) The Court also administratively closed the case at that time. (*See id.*) On December 15, 2022, the Court granted Reeves' motion to continue to hold his petition in abeyance while the Western Michigan University-Cooley Innocence Project investigates his case and he

proves his actual innocence and/or exhausts state court remedies as to newly-discovered evidence following that investigation. (*See* Order, ECF No. 10.) The matter is now before the Court on Reeves' second motion to continue to hold his petition in abeyance for those same reasons. (*See* Mot. ECF No. 11.)

The Court has carefully reviewed Reeves' motion and concludes that he has shown good cause to continue to hold his petition in abeyance. Accordingly, the Court **GRANTS** his motion and will continue to hold his petition in abeyance. These proceedings shall remain **STAYED** for one year from the date of his order. If Reeves does not move to re-open this case before the end of the one-year period, the Court shall set a status conference at that time. The case remains closed for administrative purposes only. Nothing in this order shall be construed as an adjudication of Reeves' claims.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: November 16, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 16, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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